

FROZEN EGGS

1941. Adulteration of frozen whole eggs. U. S. v. De Soto Creamery Produce Co., a corporation. Plea of guilty. Fine, \$50. (F. D. C. No. 2962. Sample No. 8947-E.)

This action involved shipment of frozen eggs which were in part decomposed.

On April 14, 1941, the United States attorney for the District of North Dakota filed an information against the De Soto Creamery & Produce Co., a corporation, Fargo, N. Dak., alleging shipment on or about June 14 and August 7, 1940, from the State of North Dakota into the States of Minnesota and California, of quantities of frozen whole eggs that were adulterated in that they consisted in whole or in part of a decomposed substance.

On May 8, 1941, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50.

1942. Adulteration of frozen eggs. U. S. v. Fort Worth Poultry & Egg Co., Inc. Plea of guilty. Fine, \$50. (F. D. C. No. 2125. Sample No. 71439-D.)

This case was based on a shipment of frozen eggs which were in part musty, sour, or putrid.

On January 28, 1941, the United States attorney for the Northern District of Texas filed an information against the Fort Worth Poultry & Egg Co., Inc., Fort Worth, Tex., alleging that on or about November 9, 1939, the defendant sold and delivered a quantity of frozen eggs to a purchaser at Fort Worth, Tex.; that on or about said date the defendant delivered to the purchaser a guaranty to the effect that the frozen eggs so sold and delivered were not adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act; that subsequently the said eggs were shipped in interstate commerce from Fort Worth, Tex., to Los Angeles, Calif., by the purchaser thereof, the holder of the guaranty, in the identical condition as when sold and delivered by the defendant; and that said eggs when so shipped were adulterated in that they consisted in whole or in part of decomposed substances.

On March 5, 1941, the defendant having entered a plea of guilty, the court imposed a fine of \$50.

1943. Adulteration of frozen eggs. U. S. v. 252 Cans, 227 Cans, and 920 Cans of Frozen Eggs. Released under bond to be disposed of in compliance with the law. (F. D. C. No. 5728. Sample Nos. 53123-E to 53125-E, incl.)

Examination of this product showed the presence of decomposed eggs.

On May 8, 1941, the United States attorney for the Southern District of California filed a libel against a total of 1,399 cans of frozen eggs at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 8, 16, and 18, 1941, by the Washington Cooperative Egg & Poultry Association from Seattle and Vancouver, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. It was labeled in part: "Whole Eggs * * * 30 Lbs. Net Weight."

On May 26, 1941, the Washington Cooperative Egg & Poultry Association having appeared as claimant and having admitted the allegations of the libel, judgment was entered ordering that the product be delivered to the claimant, conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. The product was reconditioned by segregating and destroying all decomposed eggs.

1944. Adulteration of frozen eggs. U. S. v. 211 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 2358. Sample No. 349-E.)

Examination of this product showed the presence of putrid and sour eggs.

On July 16, 1940, the United States attorney for the Western District of North Carolina filed a libel against 211 cans of frozen eggs at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about February 27, 1940, by Wilson & Co. from Chicago, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a putrid or decomposed substance or was otherwise unfit for food. The article was labeled in part: "Froze Fresh Selected Fresh Eggs Frozen."

On September 9, 1940, Wilson & Co. having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that the unfit portion be segregated and destroyed.

FISHERIES PRODUCTS

SHELLFISH

- 1945. Adulteration of crab meat. U. S. v. Louisiana Blue Crab Distributors, Inc., and Samuel L. Louis. Pleas of guilty. Imposition of sentence suspended as to Samuel L. Louis, who was placed on probation for 3 years. Corporation fined \$300. (F. D. C. No. 2874. Sample Nos. 1737-E, 9406-E, 9762-E, 9765-E, 35179-E.)**

This case was based on shipments of crab meat which was found to contain evidence of the presence of filth.

On December 18, 1940, the United States attorney for the Eastern District of Louisiana filed an information against the Louisiana Blue Crab Distributors, Inc., Westwego, La., and Samuel L. Louis, alleging shipment on or about June 10 and 11 and July 30, 1940, from the State of Louisiana into the States of Maryland and Pennsylvania and the District of Columbia of quantities of crab meat that was adulterated.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On February 17, 1941, pleas of guilty having been entered, the court sentenced the corporation to pay a fine of \$100 on each of the three counts and ordered that imposition of sentence be suspended as to Samuel L. Louis and that he be placed on probation for a period of 3 years.

- 1946. Adulteration of oysters. U. S. v. 70 Pints of Oysters. Default decree of condemnation and destruction. (F. D. C. No. 3987. Sample No. 42505-E.)**

Examination showed that this product contained added water.

On March 15, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 70 pints of oysters at Altoona, Pa., alleging that the article had been shipped in interstate commerce on or about March 11, 1941, by Hickman & Sterling from Crisfield, Md.; and charging that it was adulterated.

The article was alleged to be adulterated in that water had been substituted wholly or in part therefor; and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value than it was.

On April 8, 1941, no claimant having appeared, judgment of condemnation was entered and immediate destruction was ordered.

- 1947. Adulteration of oysters. U. S. v. 24 Cans and 40 Cans of Oysters. Default decree of condemnation and destruction. (F. D. C. No. 3527. Sample Nos. 24936-E, 24937-E.)**

This product contained added water.

On December 16, 1940, the United States attorney for the Middle District of Pennsylvania filed a libel against 64 pint cans of oysters at York, Pa., alleging that the article had been shipped in interstate commerce on or about December 12, 1940, by the Ward Oyster Co. from Crisfield, Md.; and charging that it was adulterated. The article was labeled in part: "M & V Brand Salt Water Oysters."

The article was alleged to be adulterated in that water had been substituted wholly or in part for the article; and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight, decrease its quality or strength, or make it appear better or of greater value than it was.

On May 12, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

- 1948. Adulteration of oysters. U. S. v. 185 Pints, 952 Pints, and 740 Pints of Oysters. Default decrees. Portion of product ordered distributed to charitable organizations; remainder ordered destroyed. (F. D. C. Nos. 3539, 3585. Sample Nos. 27526-E, 27533-E, 27534-E, 27825-E.)**

Examination showed that this product contained added water.

On December 19 and 23, 1940, the United States attorneys for the Western District of Kentucky and the Southern District of Ohio filed libels against 1,692 pints of oysters at Louisville, Ky., and 185 pints of oysters at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about December 7, 9, and 14, 1940, by the Weems Seafood Co. from Irvington, Va., and Weems, Va.; and charging that it was adulterated.

The article was alleged to be adulterated in that water had been substituted wholly or in part therefor; and in that water had been added thereto or mixed